

Date: April 28, 2004
W.I.: 1512
Referred by: PAC

ABSTRACT

Resolution No. 3625

This resolution approves the TEA-21 Reauthorization Second Cycle Program for fiscal years 2005-06 and 2006-07, which programs Surface Transportation Program (STP) and Congestion Mitigation and Air Quality Improvement (CMAQ) Program and Transportation Enhancement Activities (TE) Funds for inclusion in the Transportation Improvement Program (TIP).

The resolution includes the following attachments:

Attachment A – Second Cycle Program Summary

Additional discussion of this Resolution is available in the Executive Director's memorandum to the Programming and Allocations Committee dated April 14, 2004.

Date: April 28, 2004
W.I.: 1512
Referred By: PAC

RE: TEA-21 Reauthorizaion Second Cycle Programming for STP, CMAQ, and TE funds

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 3625

WHEREAS, the Metropolitan Transportation Commission (MTC) is the regional transportation planning agency for the San Francisco Bay Area pursuant to Government Code Section 66500 et seq.; and

WHEREAS, MTC is the designated Metropolitan Planning Organization for the nine-county San Francisco Bay Area region (the region); and

WHEREAS, MTC previously adopted Resolution No. 3615, setting forth the procedures and criteria for selecting projects to be funded with Surface Transportation Program (STP), Congestion Mitigation and Air Quality Improvement (CMAQ) Program funds and Transportation Enhancement Activities (TEA) (23 U.S.C Section 133); and

WHEREAS, an estimate of STP and CMAQ funding available to the region in Second Cycle is provided in Resolution No. 3615, as though set forth at length; and

WHEREAS, using the procedures and criteria set forth in MTC Resolution No. 3615, MTC, in cooperation with Caltrans, operators of publicly-owned mass transit services, county congestion management agencies, the Bay Area Air Quality Management District, the Association of Bay Area Governments, and other local government entities, has developed a program of transportation improvement projects to be funded with STP, CMAQ, and TE funds in Second Cycle as shown in Attachment A to this resolution attached hereto and incorporated herein as though set forth at length; and

WHEREAS the projects included in Attachment A are proposed to be incorporated into the Transportation Improvement Plan (TIP); now, therefore, be it

RESOLVED that MTC approves the STP, CMAQ, and TE programming for Second Cycle for inclusion in the TIP, as set forth in Attachment A; and be it further

RESOLVED that the Executive Director shall forward a copy of this resolution, and such other information as may be required, to the Governor, Caltrans, and to other such agencies as may be appropriate.

METROPOLITAN TRANSPORTATION COMMISSION

Steve Kinsey, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at the regular meeting of the Commission held in Oakland, California, on April 28, 2004.



**METROPOLITAN
TRANSPORTATION
COMMISSION**

Joseph P. Bort MetroCenter
101 Eighth Street
Oakland, CA 94607-4700
Tel: 510.464.7700
TDD/TTY: 510.464.7769
Fax: 510.464.7848

Memorandum

TO: Programming and Allocations Committee

DATE: April 14, 2004

FR: Executive Director

W.I.:

RE: Regional Bicycle and Pedestrian Programming Policies

Background

In December 2003 the Commission created a \$200 million Regional Bicycle and Pedestrian Program to fund the construction of the Regional Bicycle Network (as outlined in the Regional Bicycle Plan, adopted by the Commission in December 2001) and regionally significant pedestrian projects (to be determined). With the passage of Resolution 3609, the Commission requested that staff develop a proposal to “allow counties to credit some percentage of flexible dollars back to any county that has dedicated local funds to implementing elements of that county’s portion of the regional bike plan and regional pedestrian projects.”

In January 2004, the Bay Area Partnership requested that a task force comprised of CMA staff and bike/pedestrian advocates explore options for funding the Regional Bicycle/Pedestrian Program established by Resolution 3609. This group met on February 4th and 23rd to discuss program alternatives, including whether this program would be a regionally discretionary program or if it would be a return-to-source program run by the counties. The Task Force also discussed options for crediting regional funds back to counties.

Synopsis of Task Force Agreements

The Task Force reached consensus on four points outlined below:

1. The Regional Bicycle/Pedestrian Program will fund regionally significant projects (projects in the Regional Bike Plan and regional pedestrian projects to be determined).
2. The Task Force members will work together in the future to develop criteria to prioritize projects for funding through the Regional Bicycle/Pedestrian Program.
3. Allocation of program funds should ensure geographic equity over time (see table below).
4. The Task Force would review the project selection and delivery process after one complete cycle of STP/CMAQ funding is complete.

Regional Bicycle/Pedestrian Program Structure

There are two elements of the program structure that were discussed at greater length with the Task Force and partner agency groups:

1. Program administration
2. Crediting

Program Administration

The group generally agreed that, given the relatively small amount of annual funding in the Regional Bike/Ped Program, it should either be administered by the counties or MTC. During subsequent discussions with individual Task Force members and the Partnership, a compromise on program administration was reached as outlined below:

- CMAs will develop prioritized project lists with review from their Bicycle and Pedestrian Advisory Committees (BPAC)
- CMAs priorities would be adhered to up to the 75% county minimum (see below)
- Projects above the identified county minimum will be recommended by an advisory group from the prioritized project lists submitted by CMAs and selected by the Commission
- Counties that offer excess local match to projects would receive higher priority for the discretionary portion of the program and be programmed in early years
- Counties will be allowed to pool STP/CMAQ funds for early project delivery of large projects and still maintain geographic equity

Given the annual amount of funding available, staff recommends that funding in the second and third programming cycles be programmed at the same time, as a single four-year program covering FY 2006 to FY 2009. Partner agencies agreed to a 75% county minimum based on county population for the four-year funding cycle. The following table shows minimum guaranteed funding for each county in the upcoming four-year funding cycle totaling \$32 million.

COUNTY	POP SHARE	4-Year Minimum 75%
ALAMEDA	21%	\$ 5,107,755
CONTRA COSTA	14%	3,356,779
MARIN	4%	874,874
NAPA	2%	439,682
SANTA CLARA	25%	5,952,752
SAN FRANCISCO	11%	2,747,973
SAN MATEO	10%	2,501,837
SOLANO	6%	1,395,835
SONOMA	7%	1,622,513
Subtotal	100%	\$ 24,000,000
REGIONAL		\$ 8,000,000
TOTAL FOUR-YEAR PROGRAMMING		\$ 32,000,000

Counties would be guaranteed 100% of their county share based on population over a 12-year programming period (two federal authorization periods). This would allow more regional programming flexibility and still guarantee counties their population share over time. Attachment 1 includes a table of additional bicycle and pedestrian funds available over the span of *Transportation 2030*. The vast majority of these other funds feature a return-to-source guarantee for each county.

Crediting

After two Task Force meetings and subsequent partner agency discussions, consensus was not reached on an approach to crediting. At March's Planning and Operations Committee meeting, several

Commissioners indicated they did not support the swapping of STP/CMAQ funds away from the Regional Bicycle and Pedestrian Program. Based on the divergence of views, staff proposes two options for this Committee's consideration:

1. **No Credit Option:** Counties offering sales tax funds as a larger proportion of total project cost would be given higher priority and would be able to construct more bicycle and pedestrian projects in their county. This alternative allows counties to leverage Regional Bicycle/Pedestrian Program funds and deliver more projects in a shorter amount of time. The advocacy community supports this alternative.
2. **Credit Option:** Counties that commit 3% or more to bicycle and pedestrian needs in transportation sales tax programs would be eligible to swap a portion of their 75% guaranteed minimum of Regional Bicycle/Pedestrian Program STP/CMAQ funds. Sales tax dollars programmed to eligible Regional Bicycle or Pedestrian projects could be swapped for STP/CMAQ funds for other eligible transportation projects at the CMA's discretion. The Partnership Board supports this option and
3. recommends a sliding scale that ties the amount of the swap to a county's sales tax expenditure plan set-aside for bicycle and pedestrian needs as outlined below:

Sales Tax Set-aside to Bicycle & Pedestrian Projects	Allowable Swap of 75% County Minimum
3%	30%
4%	45%
5%	60%

Attachment 2 outlines the potential impact swapping could have on the Regional Bicycle and Pedestrian program; \$5.5 million of the \$32 million 4-year program could be swapped out based on current and proposed sales tax measures.

Staff Recommendation

Staff requests that the Committee recommend that the Commission approve the Regional Bicycle and Pedestrian Program policy outlined in this memo and select one of the crediting options. Final actions will be incorporated as part of MTC Resolution No. 3615.

Steve Heminger

Attachment 1

T-2030 Plan - Dedicated Bicycle and Pedestrian Fund Sources

(2004\$ in millions)

	BTA	TDA 3	TFCA (regional)	TIP	Sales Tax	Total
Alameda	\$ 9.8	\$ 38.5	\$ 2.7		\$ 85.0	\$ 136.0
Contra Costa	\$ 6.5	\$ 22.3	\$ 1.9	\$ 0.2		\$ 31.0
Marin	\$ 1.6	\$ 6.7	\$ 0.5			\$ 8.8
Napa	\$ 0.9	\$ 3.3	\$ 0.3			\$ 4.5
San Francisco	\$ 5.2	\$ 19.8	\$ 1.1		\$ 163.0	\$ 189.1
San Mateo	\$ 4.7	\$ 19.7	\$ 1.6			\$ 25.9
Santa Clara	\$ 11.4	\$ 51.2	\$ 3.3	\$ 5.7	\$ 1.2	\$ 72.8
Solano	\$ 2.7	\$ 10.2	\$ 0.8			\$ 13.7
Sonoma	\$ 3.1	\$ 11.8	\$ 1.0			\$ 15.9
TOTAL	\$ 46.0	\$ 183.5	\$ 13.2		\$ 249.2	\$ 497.8

BTA - Bicycle Transportation Account: Assumes population share of statewide program

TDA3 - TDA Article 3 Bike/Ped program: Projected shares per statute

TFCA - Transportation for Clean Air: Assumes historical shares to bikes from regional program (about 5%) apportioned by vehicle registration share

TIP - 2003 TIP programming amounts for bike projects from FY 2005 and beyond (includes TEA, STIP)

Sales Tax - County transportation sales tax bicycle program apportionments beyond FY 2005;

Alameda: Combined funds for bike and pedestrian projects, education and planning with funds split evenly between modes over length of the program. 75% of the funds are returned to local cities on a population basis; 25% of the funds are reserved for for planning and regional projects.

Santa Clara: \$12 million in Measure B funds from 1996-2005. \$1.2 million will be programmed during *Transportation 2030* time frame.

San Francisco: \$56 million for bicycle circulation and safety. Eligible projects include education, outreach, bicycle parking and lanes and path identified in the city's bicycle plan. \$52 million for pedestrian projects.

Other Counties: Other counties, including Contra Costa (1%, or \$20 million), San Mateo (3%, or \$36 million), Marin, Napa (\$10-20 million) and Solano, are developing sales tax measures that may include funding for non-motorized users.

Notes:

- 1) An unknown amount of road funding is routinely spent on bike/ped. projects that are included in larger road rehabilitation and expansion projects.
- 2) Does not include potential T-2030 new investments from STP/CMAQ, TEA, TFCA (local), RTIP

Attachment 2

Regional Bicycle and Pedestrian Program: Funding over 4-Years

	<u>County Minimum</u>		Bike/Ped	Rate of	
	SHARE	75%	Sales Tax	Swap	Max Swap*
		\$			
ALA	21%	5,107,755	5%	60%	\$3,064,653
COCO	14%	\$ 3,356,779			
MAR	4%	\$ 874,874			
NAP	2%	\$ 439,682			
SC	25%	\$ 5,952,752			
SF	11%	\$ 2,747,973	5%	60%	\$1,648,784
SM (proposed)	10%	\$ 2,501,837	3%	30%	\$750,551
SOL	6%	\$ 1,395,835			
SON	7%	\$ 1,622,513			
Subtotal	100%	\$24,000,000			\$5,463,988
REGIONAL		\$ 8,000,000			
Total		\$32,000,000			\$5,463,988 (17%)

*Swap assumes 30% swap for 3% sales tax allocation to bike/ped, 40% for 4% counties, and 50% for 5% counties based on current (Alameda and San Francisco) and proposed (San Mateo) sales tax measures.

INSERT Attachment A to MTC Resolution No. 3625:

J: / Section / Allstaff / Resolution / MTC
Resolutions / RES-3625_Attach-A.doc



